[Mr. P. G. Narayanan Unnithan]

the department is able to make good revenue. Again, other chowkeys like Kadakavur Railway chowkey too are necessary as customs barriers. We must always have customs barriers to realise customs duty.

Mr. G. Narayana Aiyar: May I know how the Pettah station is useful from the point of view of customs revenue?

Mr. P. G. Narayanan Unnithan: I should say that all the railway customs chowkeys are as important as any frontier customs House. Articles which are taken from one station to another within Travancore are not liable to duty. We issue passes for such transport of articles. I was only referring to the fact that it is not possible to take away the customs restrictions in some places and retain them in certain other Railway Stations.

In regard to the establishment of a frontier chowkey at the geographical frontier at Bagavathipuram, I may say that this matter was dealt with by me during the last Budget session. I would invite the honourable member's attention to the proceedings of the last year's Session.

About sweet toddy, my position is that it may be very good food but the difficulty to preserve it as sweet toddy has to be faced. If there is any process by which that could be retained as sweet toddy without fermenting that may be adopted.

Sahib Bahadur T. Muhammed Ismail: Is it not very easy to convert sweet toddy to ordinary toddy?

Mr. P. G. Narayanan Unnithan: Yes. It ferments itself.

President: The question before the House is that Government be granted a sum of Rs. 7,18,980—under Demand I—Excise Department.

The motion was put and carried.

The grant was made.

DEMAND II—LAND REVENUE AND TAXES ON INCOME.

Mr. K. Kunjan Pillai (*Secretary to Government in charge*): I rise to move for a grant not exceeding Rs. 9,13,550 under Demand II—Land Revenue and Taxes on Income.

Mr. N. Krishna Aiyar: Sir, I wish to make some observations on this Demand. I have already adverted yesterday about the necessity for Government to revise the present policy in the matter of registry, rather the policy pursued by them in the matter of evictions of *bona fide* agriculturists from the occupied areas. I do not wish to dilate on that subject except to reiterate and request the Government that there are very large number of

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cases which require special scrutiny and investigations, in view of the fact that during the past several years people have been under the impression that one of the main conditions for the registry of lands is the possession and occupation thereon and improvements therefor. It is working considerable hardship upon several *bona fide* agriculturists who entered into the lands sometimes after applying for registry of the same and sometimes without that, *bona fide* believing that if they occupied and effected improvements on it thereby enhancing the value of the land, they might, in due course, get registry of the same. It is true that in several cases, encroachments made have been found to be objectionable for the reason that public roads or public canals or other places which may have to be acquired for the use of the public have been encroached upon. It may also be that there are cases where persons have encroached upon areas which may be necessary for Governmental purposes. In such cases, the relevant rule on the subject of eviction should be certainly put into force. But there are innumerable cases where lands which were lying fallow or barren and contiguous to registered holdings may not be required at all for any public purpose by Government or for any other purpose. There are cases too where, by a process of long occupation and effecting improvements thereto, the value of the lands has been enhanced. There are several agriculturists both rich and poor, who occupy such lands and *bona fide* improvements may have been effected on the lands under occupation. If it is found that those lands are not required for Governmental or public purposes, occupation of such lands need not be meddled with.

Another point which has been repeatedly brought to the attention of Government from year to year is about the multiplicity of the demand notices issued to the public for arrears of tax, which could very often be avoided if only the officers responsible for the collection of revenues, mainly the proverthicars, take little more pains for meeting the parties. Instances are not rare where even persons who live at the very next door of the proverthicar or the taluk cutcherry and who might be even prepared to pay their taxes at the mere asking of them, have been served on with several demand notices. Such notices have been issued to people who are ready to pay even long before the payments became normally due. It may some times be that the demand notices have been issued to dead persons. So much so, it would appear that Government would give rewards to proverthicars who issue a large number of demand notices like the rewards given to detective officers who detect a large number of cases. So in view of such

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[Mr. N. Krishna Aiyar]

circumstances, I would bring to the pointed attention of Government that they may issue a circular whereby that proverthicar who secures the largest possible amount of revenue without issuing demand notices unnecessarily will be rewarded. One of the reasons which lead to the multiplicity of demand notices is possibly the long delay which is occasioned in the disposal of pokkuvaravu cases. Instances of that kind are innumerable. There are cases where demand notices were issued to the original holders of lands, some of whom might have died long ago, to persons who might have parted with their lands by the execution of sale deeds and partition deeds, to non-existent persons or to those who do not possess or have any interest at all in the lands in question. These things could have been avoided if the revenue officers such as the Proverthicars and Tahsildars had taken little pains to see who are the real persons in possession of the land and those liable to pay the tax. The volume of the Government Gazette which is now issued in two volumes could also be reduced to a considerable extent if such a process is adverted to. These circumstances result also in several fradulent sales. I know many instances of that kind. Of course, it is the duty of persons who are liable to pay the taxes to pay in time. But somehow, there has come about a tendency to delay payment unless a reminder is issued to the parties. By themselves, they may not pay the taxes, before the due date. But meeting the parties instead of issuing demand notices will bring in much larger collections than now. Again, it very often happens that having issued notices to non-existent persons who owned no property, some mischievous clerk in the taluk cutcherry will take it into his head to get other persons to purchase lands during revenue sales for absolutely negligible sums in spite of the provisions of the Revenue Recovery Act. It is definitely laid down under the Act that only such area of land should be sold as may be necessary for realisation of revenue arrears. I know cases where large and extensive areas have been sold for nominal amounts. Some mischievous clerks get others to bid in their names. It is not uncommon that the higher authorities including Peishkars are very often absolutely at the mercy of the clerks, because whenever an appeal is filed, naturally it has to go to the Tahsildar and ultimately it goes to the concerned clerk. He manipulates the facts in such a way that the Tahsildar adopts the views expressed by the clerk verbatim. The Peishkar also does the same. Several instances are found where large areas have been sold for very inadequate amounts and in spite of petitions for appeals those sales get confirmed.

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Mr. G. Narayana Aiyar : May I ask the member whether it is not the duty of the revenue authorities to issue demand notices to pattadars of lands who have to pay taxes and not to anybody else in consonance with High Court orders.

Mr. N. Krishna Aiyar : Yes. But it is on account of the fact that the holder of a land has been defined as a registered holder. I am only stating a method whereby the revenue authorities responsible for the collection of taxes might find out the real man in possession of the land and avoid the sending of demand notices to those who have no concern at all in the property in question. A registry holder may be a person who is the actual holder of the land. I have already said that a pattadar is not often the real owner of the land. On account of the delay in decisions of pokkuvaravu cases, some confusion has arisen. It is not possible to blame any Court for that matter.

Another point which I wish to bring to the notice of Government is the irresponsible way in which nirak rates are found published in the Government Gazette. We find the price of necessaries as at important headquarters, being published every week in the Gazette. Perhaps it is as a guidance to the public as well as to courts to find out what the nirak rates of particular essential commodities are at the headquarters. If one would refer to the Gazette dated the 5th Karkatakam or its prior isaues, one would find that the rates fixed for paddy for first class standard para at a centre like Alleppey is 21 chs. whereas everybody knows that for Kollurpadom measure, paddy is sold at Alleppey and the neighbouring places at a much higher rate of 25 chs. This works at over 8 fanams for a standard para. In the saine issue of the Gazette we find different nirak rates for different head quarters. While the nirak rate for Alleppey is put down as 21 chs. for Changanacherry and Kottayam, the rates are 27 and 26 chs. respectively, whereas everybody knows that the rates prevailing in all those places are identical and it is very often the case that the rates in the Alleppey market are higher than that of Changanacherry. That is the irresponsible way in which the nirak rates are published. This state of affairs entirely misrepresents and misguides those who want to know the actual situation.

Mr. C. N. Thuppan Namboodiri (*Travancore Jenmies*): 'നെല്ലിന്റെ നിരക്കുവില ഗസറ്റിൽ പ്രസിദ്ധപ്പെടുത്തിയിരിക്കുന്നതു് കറവായിരിക്കുന്നു എന്നാണോ മെമ്പറിന്റെ അഭിപ്രായം.

Mr. N. Krishna Aiyar : അതു മാത്രമല്ല, പല സ്ഥലങ്ങളിലും നെല്ലിന്റെ നിരക്കുവില പലവിധത്തിലായിരിക്കുന്നു. എന്നാൽ മൊത്തത്തിൽ ഇപ്പോഴത്തെ സ്ഥിതിയനുസരിച്ചു വില കറവായിട്ടാണു് ഗസറ്റിൽ പ്രസിദ്ധംചെയ്തിരിക്കുന്നതു.

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[Mr. N. Krishna Aiyar]

Since the object of the publication of nirak rates is to give correct values of commodities prevailing in different centres, I request Government to see that officers concerned in the publication of prices are more careful and that correct information is published as regards the rates in question.

President: You have exceeded the time limit very much.

Mr. N. Krishna Aiyar: Only one matter and I am done, Sir.

I understand that revenue officers of the superior cadre are coercing the poor ryots to part with their lands, very often his only holding that is worth the name, to Government for a negligible value when it comes to a question of works such as canals or roads in which that particular officer or officers concerned are personally interested in the acquisition of the same such instances should be avoided as it works very great hardship.

As regards there opening of the Survey School at Kottayam, I beg to submit that it has been a very useful institution, and not only the Proverthicars and Tahsildars but every ryot who is interested in land and wishes to learn survey should be given facility. It is not possible for all people who want to study survey to come to Trivandrum at a very heavy cost. Therefore I request Government to re-open the Survey School at Kottayam for the benefit of the people at large.

Mr. Kochikal P. Balakrishnan Tampi: I rise to oppose the motion just to point out the necessity for restoring the office of the Land Revenue Commissioner. This is a time when we are thinking of re-settlement. At such a time it is very unwise on the part of Government to have abolished this office. I also wish to point out the necessity of impressing on the land revenue officers the necessity for the removal of encroachments. The work of the Public Works Department is hampered for want of ready help from the Land Revenue Department. I do not wish to find fault with the officers of the Land Revenue Department for not doing their work in time. I know that of all the departments in the State this Department has to do the heaviest work, from the Accountants right up to the Peishkars. This Department besides being a very important Department is considered as an ancillary Department to every other Department. The success of the other Departments depend to a large extent upon the ready and willing co-operation of

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this Department. The revenue staff is requisitioned for Public Health work, Industry, Agriculture or anything else. The lot of the Revenue Officer is by no means very enviable. Therefore my suggestion is that the pay and status of the officers of this Department should be improved before you can rightly expect a very high standard of work from them. In this connection I also wish to bring to the attention of Government that in the matter of promotion of Tahsildars one factor, along with others, may also be considered. The list of ryots roads that could be opened in a district by the implements of the Tahsildars, the number of public institutions that could be raised in a place, such as elementary school buildings or libraries should also be reckoned in the matter of promotion because in this country much of the progress in the past has been due mainly to the impliments of these Tahsildars in the several areas. If you revive it that will certainly go a long way towards rural development. That directly leads me to the question of the choosing of Tahsildars. Men with character and personality should be chosen for this work. An able clerk need not necessarily make a successful Tahsildar. The District and Taluk hands should be chosen with due regard to communal claims from among the best material available in the State. A clerical out look—not ecclesiastical (*Laughter*) a clerk's out look or clerk's abilities, however valuable that may be need not necessarily go to make up a successful Tahsildar.

Coming back to the question of concessions to encroachers, I am not in agreement with my honourable friend Mr. Krishna Aiyar. If the Government connive at encroachment it will be putting a premium on the breaking of law. A perusal of the Poduval Rules of 1932 and 1934 will show that there is ample provision for saving the *bona fide* encroachers. It is a paradox to say "bona fide encroacher." To make a general rule that an encroacher should be permitted to have his land is a bold proposition. It is as bold as to say that people with bona fides can take away the movable properties of others. If I take away the cigarette case of my honourable friend Mr. Park, in perfect good faith it will be a good addition to me and a considerable loss to Mr. Park and it will be aesthetically very nice also. It may be plausible to a certain extent. But due regard being had to human institutions and development at the present time it might not be accepted in this House. I am glad that the Government have a lively sense of this. They have a real apprehension that encroachment and squatting should not be allowed. I see a very sensible board put up in front of the Durbar Hall saying that "squatting is prohibited"! That is the position of Government so far as this area is concerned. (*Laughter.*) Therefore I do not see any point in pleading; or any concession being shown to encroachers. We have to make provision for the future. What is the meaning in the conservation of Forests? We want

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all these lands. Perhaps these may not be necessary in January 1943. But they may be necessary at a future date. We cannot predict that at a particular time those particular areas may not be required. Therefore in the registry of forest and poramboke lands Government must be very strict and zealous in not showing any concession to people who make unauthorised occupation of Government lands.

Mr. E. K. Kuriyppe (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*) സർ, എന്റെ മാന്യസ്നേഹിതൻ മി. ബാലകൃഷ്ണൻ തമ്പി ഇവിടെ പ്രസ്താവിച്ചതായ ഒന്നരണ്ടു കാര്യങ്ങളോട് ഞാൻ ബല മായി യോജിക്കുന്നു. ഒന്നാമതായിട്ട് ലാൻഡ് റവന്യൂ ആഫീസ് നിരത്തൽ ചെയ്തത് കാര്യക്ഷമതയുള്ള തടസ്സമായിതീർന്നിട്ടുണ്ടെന്നാണ് എന്റെയും അഭിപ്രായം. സാധുക്കളായ കർഷകർക്ക് കാര്യങ്ങൾ അറിയിക്കാൻ ഏ റ്റവും സൗകര്യമുള്ള ഒരു സ്ഥാനമായിരുന്നു അത്. ഇപ്പോൾ അവർക്കു സകല കാര്യത്തിനും ഗവണ്മെൻറിനെ സമീപിക്കേണ്ടതായിട്ടിരിക്കുന്നു. ഗവണ്മെൻറ് സ്ഥലങ്ങളിൽ പ്രവേശിക്കുന്നതിനെ സംബന്ധിച്ചാണ് എനിക്കു രണ്ടാമതായിട്ടു പറയാനുള്ളത്. ഇപ്രകാരം ഗവണ്മെൻറ് സ്ഥ ലങ്ങളിൽ പ്രവേശിക്കുന്നവരെ കർശനമായി ശിക്ഷിക്കുകയും ആ സ്ഥല ങ്ങളിൽ നിന്നും ഒഴിപ്പിക്കുകയും ചെയ്യണമെന്നുള്ള മി. തമ്പിയുടെ അഭി പ്രായത്തെ ഞാൻ സ്വാഗതം ചെയ്യുന്നു. ഒരു നിർദ്ദിഷ്ടസ്ഥലത്തു പ്രവേശി ച്ചാൽ മൂന്നുരൂപാമാത്രം കരം കൊടുത്താൽ മതി എന്നുള്ള വ്യക്തമായ വ്യവസ്ഥയോടുകൂടിയ ഒരു ചട്ടമുണ്ടാക്കിയതിനുശേഷം അതിൻപ്രകാരം വസ്തുവിൽ പ്രവേശിച്ചു കൃഷി ചെയ്തിട്ടുള്ളവരെ ഒഴിപ്പിച്ചുവിടുന്നതു കഷ്ട മാണ്. ഗവണ്മെൻറിന്റെ ഈ നയത്തെ സംബന്ധിച്ചു് രാജ്യത്തിന്റെ നാനാഭാഗങ്ങളിലുമുള്ള ജനങ്ങൾക്കും സങ്കടമുണ്ടെന്നുള്ള വസ്തുത ഞാൻ ഗവണ്മെൻറിന്റെ ദയാദൃഷ്ടിയിൽ കൊണ്ടുവരുവാൻ ആഗ്രഹിക്കുന്നു. ഗവണ്മെൻറിനു സ്ഥിരമായ ഒരു നയംവേണം. ഒരിക്കൽ ഒരു ചട്ടമുണ്ടാ ക്കി നാലുമാസം കഴിയുന്നതിനുമുമ്പു് ആ ചട്ടം മാറുന്നനയം അഭിനന്ദ നാർഹമല്ല.

Mr. Thomas Chandy Mukkadan: ആവശ്യമാണെന്നു കണ്ടാൽ ജനങ്ങളുടെ രക്ഷയ്ക്കുവേണ്ടി ചട്ടങ്ങൾ മാറാൻ പാടില്ലെന്നാണോ മെമ്പർ പറയുന്നതു്?

Mr. E. K. Kuriyppe: രാഷ്ട്രീയമായിട്ടുള്ള സാഗതികളിലും മറ്റും ഇപ്രകാരം ചെയ്യുന്നതിൽ തരക്കേടില്ല. ഈ വക സംഗതികളിൽ ഗവ ണ്മെൻറ് ഉടനടൻ വ്യത്യസ്ഥമായ നയം സ്വീകരിക്കുന്നതു് കഷ്ടമാണ്. തരിശോ പുറമ്പോക്കോ ആയ സ്ഥലങ്ങളിൽ പ്രവേശിക്കുന്നതിൽ ഗവ

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ണ്മെൻറ് ഇടപെടേണ്ടതാണ്. എന്നാൽ ഏലകൃഷിക്കുള്ള പതിവിനെ സംബന്ധിച്ചുള്ള ഇന്നത്തെ നടപടി വളരെ സങ്കടപ്രദമാണ്. തിരുവിതാംകൂറിനു വെളിയിലുള്ള അനവധി ആളുകൾക്കു അനേകായിരം ഏക്കർ ഏലക്കാട്ടകൾ ഗവണ്മെൻറിൽനിന്നും പതിച്ചുകൊടുത്തിട്ടുണ്ട്. ഇപ്രകാരമുള്ള സ്ഥലങ്ങൾ മഹാരാജാവുതിരുമനസ്സിലെ പ്രജകളല്ലാത്തവർക്ക് പതിച്ചുകൊടുക്കുന്നതു് തിരുവിതാംകൂറിനു വെളിയിൽ നിന്നും ദിവാൻജിമാർ ഇവിടെ വരുന്നതുകൊണ്ടാണ്. എന്നാൽ മഹാരാജാവുതിരുമനസ്സിലേക്ക്, തിരുമനസ്സിലെ പ്രജകൾക്ക് ധാരാളം ഭൂമികൾ പതിച്ചുകൊടുക്കണമെന്നാണു് ആഗ്രഹം. വെളിയിൽനിന്നും ദിവാൻജിമാർ ഈ രാജ്യത്തു വരുന്നതുകൊണ്ടാണ് ഇപ്രകാരം അനേകായിരം ഏക്കർ സ്ഥലങ്ങൾ തിരുവിതാംകൂറിനു വെളിയിലുള്ളവർക്കു യാതൊരു നിയന്ത്രണവും കൂടാതെ പതിച്ചുകൊടുക്കുന്നതു്. ഇപ്രകാരം ചെയ്യുന്നതു് വളരെ അന്യായമാണ്. അവർ അൻപതേക്കർ സ്ഥലം വേണമെന്നപേക്ഷിച്ചിട്ട് അഞ്ഞൂറു ഏക്കർ സ്ഥലത്തിൽ പ്രവേശിക്കുകയും ഒടുവിൽ അതുയും ഏക്കർ സ്ഥലം അവർക്കു പതിച്ചുകൊടുക്കുകയും ആണ് പതിവു്. എന്നാൽ നാട്ടുകാരുടെ കാര്യത്തിൽ ഗവണ്മെൻറ് ഇപ്പോൾ സ്വീകരിച്ചിരിക്കുന്ന നയം നീതിപൂർവ്വമാണോ എന്ന് ദയാപൂർവ്വം ചിന്തിക്കണം.

ഏലക്കാട്ട പതിവുസംബന്ധിച്ചുള്ള ചട്ടമനുസരിച്ച് കക്ഷികൾ അപേക്ഷ കൊടുക്കുന്നു. അപേക്ഷാസ്ഥലത്തെ സംബന്ധിച്ച് മഹസ്സർ തയാറാക്കുന്നതിനായി അപേക്ഷ റവന്യൂഇൻസ്പെക്ടർക്കു് അയയ്ക്കുന്നു. മഹസ്സർ മുതലായവ തയ്യാറാക്കിയതിനുശേഷം പതിച്ചുകൊടുക്കത്തക്കതാണെന്നുള്ള ശുപാർശയോടുകൂടി തഹശീൽദാർ അപേക്ഷ പേഷ്ക്കാർക്കു അയയ്ക്കുന്നു. പതിച്ചുകൊടുക്കത്തക്കതാണെന്നു ബോധ്യം വന്നതിനുശേഷം സ്ഥലം സർവ്വെ ചെയ്യുന്നതിനു പേഷ്ക്കാർ സർവെ ഡിപ്പാർട്ടുമെൻറിനെ ഏല്പിക്കുന്നു. ഇപ്രകാരം കക്ഷികളുടെ ചെലവിൽ സർവെ നടത്തുന്നു. ഇതുയുംനടപടികൾ നടന്നതിനുശേഷം സ്ഥലം അപേക്ഷകനു ലഭിക്കയില്ലെന്നു വരുന്നതു എത്രയോ സങ്കടപ്രദമാണ്.

Mr. Kochikal P. Balakrishnan Tampi: May I ask the honourable member whether the Department has punished those surveyors who fall into the traps of these land loving nattukaas?

Mr. E. K. Kuriyppe: എന്റെ മാന്യസ്നേഹിതൻ ഇക്കാര്യത്തിൽ അറിയേണ്ടതു്. ഉത്തരവാദിത്വമുള്ള ഉദ്യോഗസ്ഥന്മാർ ഓർഡർ കൊടുത്തതിനുശേഷം മാത്രമാണു ഇപ്രകാരം സ്ഥലങ്ങൾ സർവ്വെ ചെയ്യുന്നതെന്നുള്ളതാണ്. ഗവണ്മെൻറ് അനുവാദത്തോടുകൂടിയാണ് ഇങ്ങനെ ചെയ്യുന്നതു്. ഇപ്രകാരം കക്ഷികളുടെ പേരിൽ സർവ്വെ ചെയ്തിട്ടുള്ള സ്ഥലങ്ങൾ പല ആളുകൾക്കും പതിച്ചുകൊടുത്തിട്ടുണ്ട്. പല ആളു

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[Mr. E. K. Kuriyppe.]

കാർഡ് കൊടുക്കുകയും മറ്റു ചിലർക്കു കൊടുക്കാതിരിക്കുകയും ചെയ്യുന്നതിന്റെ കാരണം എന്താണെന്നറിയുന്നില്ല. ഗവണ്മെൻറു ഇതിന് ഒരു വിശദീകരണം തരണമെന്നു ഞാനപേക്ഷിക്കുന്നു. ഈ സംഗതിയിൽ നാട്ടുകാരനായ ഒരു ദിവാൻജിയായ അങ്ങു് ഒരു പരിഹാരമുണ്ടാക്കിത്തരണമെന്നാണു് എന്റെ അപേക്ഷ.

Mr. Thomas Chandy Mukkadan : ഈ പുതിയ നിയമം വന്നതിനുശേഷം ചില ആളുകൾക്കു സ്ഥലം പതിച്ചു കൊടുക്കുകയും ചിലർക്കു അപ്രകാരം പതിച്ചു കൊടുക്കാതിരിക്കുകയും ചെയ്തിട്ടുണ്ടോ ?

Mr. E. K. Kuriyppe : ഉണ്ടു്. ഗവണ്മെൻറു് ഉണ്ടാക്കിയ ചട്ടം വിശ്വസിച്ചു പ്രവർത്തിച്ചവർക്കു് സ്ഥലങ്ങൾ കൊടുക്കാതിരിക്കുന്നതിനെ സംബന്ധിച്ചാണു് ഞാൻ പ്രസ്താവിച്ചതു്.

Mr. Kochikal P. Balakrishnan Tampi : Is the honourable member in favour of communal claims in the matter of registry of lands ?

Mr. E. K. Kuriyppe : എന്റെ മാന്യസ്നേഹിതനോടു് ഇക്കാര്യത്തിൽ എനിക്കു പറയുവാനുള്ള അഭിപ്രായം എന്തെന്നാൽ, ഒരു കാലത്തു് ശക്തിയായി വേല ചെയ്തുകൊണ്ടിരുന്ന നായർ സമുദായക്കാർ ഇപ്പോൾ കൃഷി ചെയ്യുവാൻ മടികാണിക്കുന്നുവെന്നാണു്. കൃഷി ചെയ്യാൻ താല്പര്യമുള്ള നായർ സമുദായാംഗങ്ങളുണ്ടെങ്കിൽ അവർക്കു ഭൂമി പതിച്ചു കൊടുക്കണം എന്നാണു് എന്റെ ശക്തിയായ അഭിപ്രായം. സാമുദായിക പ്രാതിനിധ്യം ഏതുതരത്തിലിരുന്നാലും തരക്കേടില്ല. ഇവിടെ കൃഷി ചെയ്യുന്നതിനേക്കാൾ പ്രയാസം ഭൂമി പതിച്ചുകിട്ടുന്നതിനാണു്. ഒരപേക്ഷ കൊടുത്താൽ ഇത്ര ദിവസത്തിനകം അതിനൊരു തീരുമാനമുണ്ടാക്കണമെന്നു് ഗവണ്മെൻറിൽ നിന്നും വ്യക്തമായ ഒരുത്തരവു് കീഴ്സിൽബന്ധികൾക്കു കൊടുക്കണമെന്നു് ഞാൻ ഗവണ്മെൻറിനെ ഉൽബോധിപ്പിക്കുന്നു. ചില അപേക്ഷകൾ വളരെക്കാലമായിട്ടും യാതൊന്നും ചെയ്യാതെ ഇട്ടിരിക്കുന്നതായും എനിക്കറിയാം. ചില അപേക്ഷകൾ സംബന്ധിച്ചുള്ള നടപടികൾ നാലു ദിവസത്തിനകം പൂർത്തിയാക്കുകയും ചെയ്യും. സ്വാധീനമുള്ള കക്ഷികളുടെ കാര്യങ്ങൾ വളരെ വേഗത്തിൽ ശരിപ്പെടും. അതു പാടില്ല. സാധുക്കളായ കക്ഷികളെ ഇങ്ങനെ കഷ്ടപ്പെടുത്തുന്നതു് പരിതാപകരമാണു്. ഒരേസമയത്തപേക്ഷിച്ചതിൽ ചില ആളുകളുടെ രജിസ്ട്രി പൂർത്തിയാക്കുകയും മറ്റു ചിലരുടേതു പൂർത്തിയാകാതിരിക്കുകയും ചെയ്യുന്നതു് ന്യായമല്ല. യാതൊരു തക്കവും ഇല്ലാത്ത അപേക്ഷകൾ ഇങ്ങനെ പെൻഡിങ്ങായിട്ടിരിക്കുന്നതു് ശരിയല്ല. സ്റ്റേറുകോൺഗ്രസ്സിൽ ചേർന്നിട്ടുള്ളവരിൽ ആക്രമികളായ ചിലരുടെയൊ നമ്മുടെ മഹാരാജാവുതിരുമനസ്സിലെ ഗവണ്മെൻറിനോടു എതിരായി പ്രവർത്തിക്കുന്നവരുടേയോ കാര്യത്തിൽ ഗവണ്മെൻറു

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യുക്തംപോലെ ചെയ്യുകൊള്ളട്ടെ. എന്നാൽ ന്യായമായ സകല കാര്യങ്ങളിലും ഗവണ്മെൻറിനുവേണ്ടി എത്ര ത്യാഗവും ചെയ്യുവാൻ തയ്യാറുള്ള മഹാരാജാവു തിരുമനസ്സിലെ വാത്സല്യമേറിയ കർഷകരുടെ നേക്ക് ഉദ്യോഗസ്ഥന്മാർ ഇപ്രകാരം പ്രവർത്തിക്കുന്നതിനെ സംബന്ധിച്ച് ഗവണ്മെൻറു തക്കതായ നിർദ്ദേശങ്ങൾ കൊടുക്കണം.

Mr. K. K. Kuruvilla (*Mavelikara and Tiruvalla cum Pattanamtitta*): സ്റ്റേറുകാൺഗ്രസ്സിൽ ചേർന്ന ആളുകളെ പട്ടിണിയിടണമെന്നാണോ മെമ്പർ പറയുന്നത്?

Mr. E. K. Kuriyppe: സ്റ്റേറുകാൺഗ്രസ്സുകാരെ പട്ടിണി ഇടണമെന്ന് എൻെറ പ്രസ്താവനകൊണ്ട് അർത്ഥമാകുന്നില്ല.

Mr. K. K. Kuruvilla: Sir, I did not want to speak on this motion. But after hearing Mr. Tampi I would like to speak a few words on the subject. My first difficulty in regard to encroachment is the uncertainty of it. I am not referring to encroachments in cardamom lands and in other big estates. I know that in a good many cases this question of encroachment has become a great weapon for the Proverthicars and in certain cases for the Tahsildars to fight with the ordinary man.

Mr. Kochikal P. Balakrishnan Tampi: May I inform the honourable member that if a person proceeds under the Survey and Boundaries Regulation he has nothing to fear.

Mr. K. K. Kuruvilla: My experience is quite the contrary. During flood times, the rushing streams take away a portion of the land. The owner is not sure whether the land that has been washed out will be added to another place as a poramboke. Suppose a man has got 25 or 30 cents of land in a watery place and suppose the river has encroached upon it. He is not at all sure whether he can take it back. Here is an instance where during flood time cocoanut trees fall into the stream. In order to protect the trees from falling a poor man erects a bund. The Proverthicar comes and says that there is an encroachment. There are several such cases in which the people have been prosecuted. I would suggest that in cases of encroachment limited to half a cent or one cent no case need be taken.

Mr. Puthupally S. Krishna Pillai: May I know what will happen to the owner on the other side if an encroachment of half a cent is allowed on this side of the river?

Mr. K. K. Kuruvilla: You must have consideration for the man whose property is washed away.

Mr. Puthupally S. Krishna Pillai: But what will happen to the man on the other side?

Mr. Kochikal P. Balakrishnan Tampi: There will be contemporaneous encroachment on the other side.

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Mr. K. K. Kuruvilla : When saying that the encroachment rule is to be insisted on the case of such poor men should also be taken into consideration. My suggestion is that in cases where there has been a small encroachment of one cent, two cents or five cents, consideration must be shown to the man who is prosecuted on that basis. I do not have anything to say about other cases of encroachment. There is also in this report a statement that lands to be owned by persons should be limited to 60 acres. I have a good deal of sympathy with that suggestion. I have heard that there are speculators of land. I have come to know that these speculators have been encroaching on the property of their neighbours and if the neighbour happens to be a weak person he is sure to be exploited. These land speculators must be prosecuted and I have no sympathy with that set of people. But whether the limit should be 60 acres or not is a matter for consideration. It is also for consideration whether this 60 acres is a large enough area for a planter.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether the honourable member knows that loyalty and patriotism are the refuge of many of these speculators of land.

Mr. K. K. Kuruvilla: I have not enquired whether there is loyalty or patriotism in this instance.

There is also one other thing which I want to say. As has been said already by an honourable member, whenever you change a rule you must have some consideration for those people who have acted according to the rule just repealed. If a man occupies a certain area and the occupation is considered to be one of the cases for registry, and when the man has done so according to the old rule, to jump upon him and say that "you cannot occupy it" seems very hard. Whatever may be provided in the new rule for registration, however justifiable that may be, it should not affect the people who have already faithfully tried to carry out the rules that existed before. My request, therefore, is to see how far these men who have asked for registry of 100 acres or 200 acres and who have occupied that land on the basis that registry will be made must receive consideration at the hands of Government.

President: A recent circular has been issued regarding the 60 acres rule. I may just inform the honourable member that it is no new rule that has been brought into existence. There seems to be impatience among those who ask for the registry of such lands that 60 acres is the minimum that they ask for. On the other hand the idea of Government has all along been that 60 acres should be the maximum. This aspect has been emphasised in the recent circular.

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Mr. K. K. Kuruvilla : In regard to encroachment I want to deal with another point of which I have spoken in every Session of the Council. It is in regard to Kandukrishi lands. If you go back, Sir, to the reports of previous years you will find that Government have made statements on the subject. There is a hard rule, a very iniquitous rule which lays down that for conversion of lands five times the rent should be paid with the retrospective effect of 15 years or so. After repeated requests, Government were kind enough to keep that rule in abeyance. Now at a time when the question of food production is very serious those who hold Kandukrishi lands are put to very great difficulty. If a man removes the sand in a particular corner of a field and raises it , that is conversion of the particular field into some kind of land where plantations may be done. That is conversion of land for which, according to the rule, he must pay five times the rent with retrospective effect. If the rule that is kept in abeyance comes to be brought into force there is no escape. In regard to the Kandukrishi lands representations have been made both inside and outside this Council. Some kind of arrangement should be made by which at least the owners of Kandukrishi lands may make such changes of lands that will contribute to better productivity of land. There may be a sand track which, if removed, may turn the land into a dry land. If such concessions are made it will go far to help these men to cultivate their lands with expectations of a better yield. Otherwise it becomes extremely difficult for these people to carry on their agricultural work peacefully.

Mr. T. Krishna Pillai: Does the honourable member favour the conversion of wet lands into dry lands ? It is only in such cases that penalties are imposed.

Mr. K. K. Kuruvilla : There is then the question of Rural Reconstruction.

It is the duty of the departmental heads to see that this amount is put into use because there is need for such work in the land. Public opinion is not strong in the country and the representatives of the people are also not very interested to furnish to Government information as to where the need is great. I pray that the departmental heads of the Travancore Government should rise to see the exigencies of the occasion and report to Government where and how the money allotted may be used beneficially.

I also want to speak one thing more and that is about the accountants in the Revenue Department. They have a good deal of work and almost all of them get only Rs. 14 as salary. I suppose they get the Re. 1 dearness allowance. But in a case where the persons have so much difficulty to live and where they have to be intimately in contact with the people of the pakuthy, it would be a blessing if they are given at the rate of Rs. 18 or 20 per mensem.

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Mr. C. N. Thuppan Namboodiri: സർ, ഈ ഡിമാൻറിനെ അനുകൂലിക്കുന്നതോടുകൂടി ജന്മിക്കരം സെറ്റിൽമെൻറു സംബന്ധിച്ചു രണ്ടുവാക്കു പറയണമെന്നു ഞാനുദ്ദേശിക്കുന്നു. ജന്മിക്കരം സംബന്ധിച്ചു ഞങ്ങളുടെ അനുഭവം നോക്കുകയാണെങ്കിൽ "ജന്മപ്രകൃതി ദാരിദ്ര്യം ദശവർഷാണിബന്ധനം സമുദ്രതീരെ മരണം കിഞ്ചിൽശേഷം ഭവിഷ്യതി" ഈ കിഞ്ചിൽശേഷമാണ് ഞങ്ങടെ ഇപ്പോഴത്തെ അനുഭവിക്കുന്നതു്. ജന്മി കുടിയാൻ റഗുലേഷൻ ഭേദപ്പെടുത്തണമെന്നു് ജന്മിമാരും കുടിയാന്മാരും ഉൽബോധിപ്പിച്ചതിൻറെ ഫലമായിട്ടാണ് അതു രണ്ടു മൂന്നു പ്രാവശ്യം ഭേദഗതി ചെയ്തതു്. ഫ ഫ ൦ വ-ലെ ഈ ഭേദഗതി അനുസരിച്ചാണ് ഇവിടെ സെറ്റിൽമെൻറു നടത്തിവരുന്നതു്. ഞങ്ങളെ ഒന്നുകൂടി കഷ്ടപ്പെടുത്തണമെന്നു ഞങ്ങളപേക്ഷിച്ചില്ല. ഈ നിയമം കൌൺസിലിൽ വാദപ്രതിവാദങ്ങളും കഴിഞ്ഞു് പാസ്സാക്കിയിട്ടുള്ളതാണ്. വിലനിരക്കിനെക്കുറിച്ചാണ് ഈ അവസരത്തിൽ ഭിന്നാഭിപ്രായമുണ്ടായിട്ടുള്ളതു്. ഗവണ്മെൻറു ഗസറ്റിൽ പരസ്യം ചെയ്യുന്ന വില ശരിയല്ല. ഒരു കമ്മിറ്റി മുഖാന്തരമാണ് വില നിശ്ചയിച്ചിരിക്കുന്നതു്. എന്നാൽ കമ്മിറ്റിയെ നിയമത്താൽ നിർദ്ദേശിച്ചിട്ടുള്ളതു നാട്ടനടപ്പനുസരിച്ചുള്ള വില നിർണ്ണയിക്കുന്നതിനാണ്. അതു് ജന്മിമാർക്കു് വളരെ ദോഷമായിട്ടാണ് കാണുന്നതു്. ഈ അവസരത്തിൽ ഞാൻ ഗവണ്മെൻറിനെ ഉത്-ബോധിപ്പിക്കുന്നതു് എന്തെന്നാൽ ഗവണ്മെൻറിൽ നിന്നതന്നെ ന്യായമായ ഒരു വില നിർണ്ണയിക്കത്തക്കവിധത്തിൽ ഏർപ്പാടുചെയ്യണമെന്നാണ്. ജന്മിക്കരം സെറ്റിൽമെൻറു ജോലികൊണ്ടു കുഴപ്പമുണ്ടാക്കാൻ മാത്രമേ കഴിഞ്ഞിട്ടുള്ളു. ജന്മിക്കരം ജോലിക്കായിട്ടന്നെ ജോലിയിൽ യാതൊരു പരിചയവും ഇല്ലാത്തവരായ പുതിയ ആളുകളെ ആണ് നിയമിച്ചിട്ടുള്ളതു്. ഓരോ കേസ്സുകളും നാലും അഞ്ചും പ്രാവശ്യം തീർച്ച ചെയ്തിട്ടുള്ളതായി അറിയാം. അങ്ങനെ ചെയ്തതിനു ശേഷവും അതു കരപ്പതിവിനെടുത്തിട്ടുണ്ട്. ഓരോ സർവ്വെ നമ്പരുകളും തീർച്ചചെയ്യുന്നതിനുവേണ്ടി ജന്മിയോ കുടിയാനോ സിവിൽക്കോട്ടിൽ പോകേണ്ടതായിട്ടാണു വരുന്നതു്. പട്ടയം കൊടുക്കുന്നതിനു മുമ്പുതന്നെ സെറ്റിൽമെൻറു ശരിയാണോ എന്നു് പരിശോധനനടത്തുന്നതിനു പ്രാപ്തിയുള്ള ഒരു ഉദ്യോഗസ്ഥനെ ഗവണ്മെൻറിൽനിന്നും നിയമിച്ചു അദ്ദേഹം രാജ്യത്തിൻറെ നാനാഭാഗങ്ങളിലും സഞ്ചരിച്ചു് ഇതിലേക്കു വേണ്ടതു ചെയ്യണമെന്നു് അപേക്ഷിക്കുന്നു. ഈ വക കാര്യങ്ങൾ ഗവണ്മെൻറു് എത്രയും വേഗത്തിൽ നിഷ്കർഷയോടുകൂടി, ജന്മിക്കരം സെറ്റിൽമെൻറിനു് യാതൊരു കുഴപ്പവും ഇല്ലാത്ത നിലയിൽ, ഏർപ്പാടുചെയ്യാൻ ദയവുണ്ടാകണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

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Mr. M. K. Ananthasiva Aiyar: Sir, I support the motion. I wish to speak particularly about village Unions. Sir, ever since the inauguration of the Village Unions both the Government and the Village Unions are complaining that these Unions are not working on proper lines. We have to see why these Unions are not working properly or why they have not shown the results expected of them? I attribute the fault to the Government. In the first place the Village Unions have not yet understood their rights and responsibilities. They have not understood as to how they have to proceed and what their work is. They think that at present their business is only to collect some cess from the people. And that is all that is allowed by the bye-laws that have been sanctioned.

The Council adjourned for lunch at 1 P. M. and met again at 2 P. M. with the Dewan-President in the Chair.

NEW MEMBER.

Mr. K. P. Padmanabha Menon (*Electrical Engineer to Government*) took the oath and signed the Rolls.

Mr. M. K. Ananthasiva Aiyar: These Village Unions are being considered by the villagers as an instrument of money making at the expense of the villagers. That ought not to be. They should be able to create some good impression in the minds of the villagers who pay the tax that the work of the Village Unions will tend to their advantage ultimately. From my experience as a member of the Village Union, I would say that the defect lies more in the system that is in vogue than in the conduct of these village unions. Ever so many resolutions beneficial to the villagers are being passed and sent month after month to the higher authorities but with no reply or sanction. Under these circumstances all the money which the Government have given to the Village Unions and amounts that have been collected by the Village Unions remain idle in the Treasury. The Tahsildars who are ex-officio Presidents of these Village Unions, many of them, do not know how to work these unions. They are afraid to spend money. They are afraid that their actions will not be ratified by the Government. For every action they take, they write to Government for sanction. When the Village Unions write for sanction to Government they take one year and more to accord the necessary sanction for the works that have to be executed for the benefit of the people. I would suggest that some senior competent officer, who has experience of the working of the village unions and who will be in a position to call upon the Dewan Peishkars who are the Registrars of the Village Unions also to do their duty properly, should be deputed at least for one or two years to see to the working of these Village Unions. In that case I think it may be conducive to the advantage of the tax paying public.

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[Mr. M. K. Ananthasiva Aiyar.]

The next question I wish to deal with is about poramboke cases about which my friends Mr. Krishna Aiyar and Mr. Kuriyppe spoke. I join with them in saying that *bona fide* encroachers who have done valuable improvements on the lands should not be evicted on any account. The lands should be registered in their names without detriment to the interests of Government. It will be really hard if such people, who bona fide believing that the lands are theirs have effected considerable improvements, are asked to surrender the lands. They may even come to know that there is encroachment only when the land is surveyed. Till then they will be believing that the lands are theirs. Suppose a man has 50 acres of registered puthuval lands and along with it 10 acres of encroachment in his possession. Unfortunately without knowing that the 10 acres are Government lands he plants rubber in that poramboke lands also. Is he to be evicted for that? The first and foremost consideration should be to ascertain whether he has made improvements on the land bona fide believing that the land belongs to him. In such cases the lands should be registered in his name. That is my view.

Sahib Bahadur T. Muhammed Ismail: I wish to speak only on the question of encroachment on which much has been said here. Neither party consideration nor communal consideration should weigh in deciding the question. But it should be a question of equity and justice meted out to those who have spent money on this matter. Some years ago it was the custom for the people to apply for registry of certain acres of land after depositing Rs. 5 per acre as per rules. They enter the lands in anticipation of registry. If there are more than one applicant for the same plot of land then that is put to auction. So, to get over the difficulty one man enters the land after paying the initial deposit as per the rules. He cultivates the land spending a lot of money and after five years the yield is there. It is at that time that the question of registry is taken up and the Government decide not to give the land to that particular individual. I wish to point out one instance. A man applied for a hundred acres in a particular place for cardamom cultivation. He made the necessary deposit and entered the land. After five years the question of registry was taken up by the Department. After five years when the crop is ready for the first time he is evicted. He had spent over Rs. 25,000 for cultivation, that is, about Rs. 250 per acre for 5 years. Over and above this amount he has spent Rs. 10,000 for buildings for the coolies. There are people who spent money for medicine also for the use of the coolies.

President: The question is whether they have occupied the area without proper authority.

Sahib Bahadur T. Muhammed Ismail: It is about that I am speaking. It is without permission that he improves the land.

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He enters the land because that was the custom and with the *bona fide* belief that the land will be given to him. It is only after spending so much money that the question whether the land should be registered is taken up.

President: I remember that there is some Government Order prohibiting such entry.

Sahib Bahadur T. Muhammed Ismail: Government rules provide that those who enter such lands before registry have to pay Rs. 3 as tax. But if the man enters the land after registry he has to pay only Rs. 1½. Again, there is variation about the *tharavila* also. It is about Rs. 85 if occupation is after registry. If the man has entered the land without registry an enhanced rate is fixed, say Rs. 120 or Rs. 125. If the party is willing to pay the rates according to the rules I do not know why the authorities should refuse to register such lands in their names.

Encroachments have to be considered from different aspects of view. It may be that in some cases they are absolutely necessary for public use. For instance, there may be road porambokes and canal bed porambokes. This may only be a few cents in extent which may be necessary for public purposes. Such encroachments have to be differentiated from encroachments on puthuval lands and forest areas where, on the belief that the lands will be registered in their names, cultivation has been effected. Again, it has to be looked from another point of view. In spite of the rigid rules that the Government have formulated that no land will be given to foreigners, there are various cases in which lands are given to outsiders. So, some consideration of equity has to be shown to those people and the lands are to be given to them. It will also be a great loss of revenue to Government. Again, in each individual case the reasons are varying. In some cases the Game Warden may say that thousands and thousands of acres of land are required for the preservation of game. Is not human consideration more important than the preservation of the squirrels and the monkeys in the forests? Now such lands as I have already indicated are taken over by Government after evicting the cultivators. They are not destroying the cultivation. They are not planting any new trees and they do not forest the area but they take the yield from the lands. Let me ask a simple question. I have effected improvements on a hundred acres of land by cultivating it. Now Government take possession of it. Government appoint their own nominees to take the yield from those lands. If after five years Government appoint their own coolies to pluck the yield and get the profit what is the case of the poor man who has spent 40 and 50 thousand rupees on the land. I can understand if the land is kept as waste and it is forested for the sake of Game Preservation. But the Government is not doing that. So, I request that Government should view sympathetically the cases of those persons who

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[Sahib Bahadur T. Muhammed Ismail.]

have encroached the lands and made improvements on them in the belief that they will be registered in their names and not with the idea of taking away Government lands. Some honourable members stated that encroachment of Government lands is just like taking another man's cigarette case or spects. Common sense will show that it is quite different. Encroachment is made on Government land; it is our land. The land belongs to the country. It is in the forest and in the mountains where there are thausands of unculti-vated lands.

Mr. T. Krishna Pillai: Is it open to us to occupy a Government building which is vacant?

Sahib Bahadur T. Muhammed Ismail: These are not questions to be seriously considered. There are vast areas of lands near the forests. For years together it was the custom for people to enter those lands. It is not like occupying a vacant Government building. These are times when every such land has to be given to the people, if not on registry, at least on lease. Why not people who have spent money take the yield from those lands at least for some time and then be asked to leave them if necessary. Therefore I submit that the eviction rules now followed by Government cause great hardship to the people. It is the Government property on which encroachments have been effected. So it is the duty of the Government to support the people. If at all there is any violation of the rules, an enhanced rate of tharavila may be recovered. Let the people remain there and take their yield. I think the Government will view this question sympathetically and come to the rescue of the people.

Mr. N. Boothalingom Pillai (*Tovala* cum *Agastiswaram*): Sir, இந்த டிமாண்டை ஆதரிக்கிறேன். நமது காருண்ய கவர்மெண்டு எல்லா வகுப்புக்களிலும் சீர்திருத்தமும், அபிவிருத்தியும் வருத்தியிருப்பது மிகவும் மெச்சத் தகுந்ததாகும். ஆனல் ,லாண்டு ரெவினியூவை (land revenue) மாத்திரம் சீர்திருத்தம் செய்யாமல் இருப்பது மிக்க மனவருத்தமான விஷயம். நமது ராஜ்யத்தில் நெல்காரம் ஓரிடத்தில் கூடுதலாகவும் மற்றொரு இடத்தில் குறைவாகவுமிருக்கிறது. நாஞ்சிநாட்டில் காரம் 35 ரூபாய்வரையிருக்கிறது. இவ்விதமான கூடுதல் காரம் உலகத்தில் ஒருயிடத்திலும் இல்லையென்றே திட்டமாகச் சொல்லுவேன். மற்ற நாடுகளைவிட திருவாங்கூரில் காரம் குறைவு என்று கவர்மெண்டார் சொல்வார்கள். அது ஒப்புக்கொள்ளக்கூடிய வார்த்தையல்ல. இப்படி ஒரே ராஜ்யத்தில் ஓரிடத்தில் கூடுதலாகவும் மற்றொருயிடத்தில் குறைவாகவும் காரம் வாங்கப்படுவது மிக்க மனவருத்தத்தைத் தருகிறது. அதை ஒரே ரீதியில் ஒழுங்குபடுத்தவேண்டுமென்பது என்து தாழ்மையான அபேட்சை.

ஸர், இன்னொரு விஷயம் என்னவென்றல் நாஞ்சிநாட்டில் காரம் சம்பந்தமாக--காரம் கூடுதலாக வந்ததற்குக் காரணம், கோட்டையை பறையாக மாற்றி கணக்குப் பார்த்ததிலிருந்து வந்த ஒரு பிசகு. இந்தக் கணக்கை அடிஸ்தானப்படுத்தி ஏக்கர் ஒன்றுக்கு ஐந்தில் ஒரு பாகம் கூடி

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தலாகவும் நியாயவிரோதமாகவும் வசூல் செய்துவந்தார்கள். எத்தனை யோ காலமாக எவ்வளவோ திவான்களிடம் முறையிட்டும் இதற்கு ஒரு நிவர்த்தியும் கிடைக்கவில்லை. கனம் ஸ்ரிவோத்தம ஸர் ஸி. பி. ராமஸ்வாமி அய்யர் அவர்கள் இங்கு திவான் பதவி ஏற்றதும், நாங்கள் அவர்களிடம் எங்கள் காக்குறைவு சம்பந்தமான குறைகளை முறையிட்டோம். அவர்கள் எங்கள் குறைகளை கண்ருக அறிந்து, வேண்டிய சீர்திருத்தங்கள் செய்வதாக ஒப்புக்கொண்டார்கள். அதாவது ஒரு பெரிய சீர்திருத்தம் re-settlement வரும்வரையில் கூடுதல் வசூல் செய்த காத்தை ஐந்து வருஷங்களாகக் குறைத்தார்கள். இதற்கு நாங்கள் சொம்ப கன்றியுள்ளவர்களாயிருக்கிறோம். ஆனல் அந்தக் காலாவதி இன்னும் ஒரு வருஷத்திற்குள் தீரப் போகிறது என்று நினைக்கிறேன். ஆனல் இன்னமும் சீர்திருத்தத்திற்காக ஏதாவது ஆரம்பமாயிருக்கிறதாகத் தெரியவில்லை. ஆகையால் கவர்மெண்டு நெற்காரத்தை நாடு முழுவதும் ஒரு சம நிலைமைக்குக் கொண்டுவருவதற்குள்ள ஒரு பெரிய சீர்திருத்தத்திற்குள்ள ஏற்பாடுகள் சீக்கிரம் செய்யவேண்டுமென்றும், அதுவரையில் தற்போது தந்திருக்கிற உதவியை நீட்டித்தரவேணுமென்றும் கேட்டுக்கொள்கிறேன்.

Mr. G. Narayana Aiyar: Sir, I support the demand. In doing so I have to make some observations in regard to one or two matters. Sir, there appears to be great delay in the disposal of Pokkuvaravu cases. The parties to those cases are put to great difficulties on account of this. In the issuing of notices also there is at present great irregularities. Under the provisions of the Revenue Recovery Act Government are not bound before revenue sales to issue notices to anybody except the registry holder. If there is delay in effecting pokkuvaravu the real owner is the party who suffers. In a recent appeal case which came up for the decision of the High Court, the High Court had to decide the question whether it was necessary to issue notice to the real owner before selling the property for arrears of tax. The case is reported in 33 T. L. J. at page 325. In that case a notice was issued to the pattadar and the real owner had no knowledge of the revenue proceedings. I shall read a few lines from that report.

> "The plaint property originally belonged to Chetteth family. Subsequently it became that of the plaintiff. But registry continued in the name of the family. Plaintiff never paid any tax at any time. The property was sold for arrears of tax due from the property and other properties belonging to the family after notice to the registry holder alone. The questions raised were—
>
> 1. Whether failure of notice to plaintiff would cause the sale void.
> 2. Whether the sale of plaint properties for the arrears of tax due from other properties also is valid. Held; The policy of the act is to look over to the registry holder for the payment of arrears of Government revenue and the Government are not bound to find out the real owner. It was also held that any portion of the defaulter's movable or immovable properties may be sold for arrears of revenue even though the same was not due to any entries from the property put up for sale.

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[Mr. G. Narayana Aiyar.]

Such difficulties arise because of the great delay in the matter of pokkuvaravu. Therefore, orders must be issued to responsible officers not to delay pokkuvaravu cases. I submit that it is necessary in all revenue sales at least a notice is given to the real owner of the property in question before sales are actually conducted. Instructions ought to be given to the Proverthicar to see that in all cases of revenue sales for arrears of tax notices are issued to the real owners also. The act needs amendment, Sir, in this respect.

Then as regards Jenmi karom Settlement, there appears to be some confusion in North Travancore. For properties which are actually either jenmom or excess in Ayacut area and wrongly treated and registered as Puduval in the case of settlement and pattah wrongly issued as pandarapattom the jenmikarom settlement officers refuse to assess jenmikarom on the sole ground that the Sirkar records do not show them as jenmom. There are various cases in which both the jenmi and kudiyan admit such properties jenmom or part of jenmom properties. Neither such admissions nor even decrees of courts declaring such properties as part of jenmom are taken into consideration and are simply ignored. Neither the jenmi nor the kudiyan knows what is ther position as regards such properties. Neither the jenmi nor the kudiyan is responsible for the last revenue settlement mistakes in the issue of pattah. There was no necessity for setting aside such wrong pattahs since it has been uniformly ruled that pattah by itself will not give any title and is only a record for Government for collecting tax. I request that the necessary orders be issued to the jenmikarom settlement officers on this matter early enough.

President: Will the honourable member repeat the last sentence?

Mr. G. Narayana Aiyar: Sir, the recent revenue settlement records show that a particular property is treated as Pandarapattom. But it was actually Jenmom. The jenmi and kudiyan have treated the same as jenmom in the contract. Decrees of courts have declared such properties as really jenmom properties in certain cases when such decree or kanom deeds or admissions are taken to the Jenmikarom Settlement Officers to charge jenmikarom they refuse to act on those records. Both jenmi and kudiyan are helpless in the matter.

President: Is not the jenmikarom settlement register suitably corrected?

Mr. G. Narayana Aiyar: For such properties no corrections are made. That is a source of serious hardship both to the jenmi and to the kudiyan. The Jenmikarom settlement officers rely solely on the last revenue settlement records.

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President: That will be noted.

Mr. G. Narayana Aiyar: Sir, I have to say a word as regards poramboke cases. In the issue of pattahs fractions of a cent are always omitted. Such excess portions especially when properties lie near a road or a canal are always treated as porambokes and cases taken. Really they are not poramboke encroachments. That is the sort of confusion prevailing in North Travancore due to the hasty conduct of the last revenue settlement there. Therefore I request that necessary orders may be issued to avoid such mistakes.

I would also make a suggestion that an index or table of contents should also be added to the Administration Report of the Land Revenue Department as we see in the reports of other departments. It would be easy for reference.

Mr. T. Krishna Pillai: Sir, ever since the abolition of the post of the Land Revenue Commissioner and his office, my friend Mr. Balakrishnan Tampi was availing himself of every opportunity this House offered him, to reiterate in his own characteristic way the necessity for the restoration of the Land Revenue Commissioner's post. Even this morning Sir, he prefaced his observations on this Demand by stressing that the contemplated re-settlement necessitates the restoration of this office. I for one am not aware of any suggestion express or tacit from the spokesmen of Government in regard to the fact that we are going to have a re-settlement. Even if we are going to have a re-settlement I am afraid that in all possibility a special re-settlement officer would be appointed and no necessity would arise for the restoration of the Land Revenue Commissioner's post. My friend Mr. Kuriyppe's tender chords are touched and he is greatly moved by the abolition of this post because the work of the Chief Secretary and the Dewan has very much increased due to the abolition. If their work has increased to unmanageable dimentions the move would have come from the Government themselves and we would have seen a Land Revenue Commissioner already.

Now Sir, speaking on this demand, this time last year I drew the pointed attention of Government to certain defects existing in the present system pursued by the Land Revenue Officers in realising the arrears of revenue under the Revenue Recovery Act. The three main defects so far as the collection of arrears of land revenue is concerned are the defect in the matter of issuing demand notices, distraint and attachment notices, and in the sale of immovable properties. As for the wrong and defective issue of demand notices, what ever arguments in justification may be given by the Treasury Benches, it is gospel truth that the major

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[Mr. T. Krishna Pillai.]

portion of these notices never passes the precincts of the Proverthicar's office but at the same time pakuthy records may show that these notices were promptly and properly served even though on enquiry it would be seen that many a defaulter pattadar has joined the majority years ago.

Another point I wish to refer to in this connection relates to the selling of immovable properties for arrears of taxes. There are sufficient provisions under the Revenue Recovery Act whereby attachment and taking possession of the lands may be resorted to. My submission in that connection is that the revenue authorities do not take pains to find out the real arrear claim of the party in question for which alone a proportionate area of the land has to be proceeded against. In the latest Administration Report of the Department it is seen that, more or less, about 6,000 acres have been so auctioned away for arrears of revenue due to Government. It has to be noted that the majority of defaulters are the actual tillers of the soil. As has been referred to by a previous speaker, these lands by such injudicious sales pass on to a class of absentee landlords. There are provisions in the Regulation for attaching and taking possession of the land by the Government. But these are taken recourse to very seldom. The influential moneyed class, become, virtually, the owners of large areas of auctioned lands to the infinite detriment of not only the actual cultivators but to the larger interest of cultivation. It is really the moneyed people who knock away such lands.

President: Is the honourable member aware that a very large percentage of appeals from such orders are being allowed on deposit of arrears of tax due to Government from the parties in question.

Mr. T. Krishna Pillai: That, Sir, is a great relief to the poor agriculturists, and I thank you, Sir, for the information. Then, I would like to say a word about the receipts secured from the markets in different centres of the State. From the Administration Report of the Department it could be seen that over a lakh of rupees is received yearly on that score. Sir, the income from markets are not to be reckoned as revenue for Government. It has been always, the declared policy and intention of Government to utilise the receipts from markets towards the repair and improvement of markets. From the Administration Report it is seen that only 5 percent of the revenue got from the markets is expended towards their maintainance, so much so, that we see, that all the

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markets are kept in a very insanitary condition—without urinals, out-houses etc. This income is derived directly from the poor agriculturists who are undoubtedly the hardest hit under the present abnormal conditions; and is it too much to ask, Sir, at least from next year this inequitous income is completely given up by Government to the great relief of a considerable section of our poor, starving population.

Lastly, I want enlightenment from Government whether the South Indian Railway is taxed for the income earned by them.

President: Do you mean to suggest that the railway employees should be taxed?

Mr. T. Krishna Pillai: No, Sir. Not that the employees are taxed or not. I want to know whether the income of the S. I. R. Company above the taxable minimum is assessed to income-tax. Again Sir, there are the Post and the Telegraph Departments which are unquestionably business concerns pure and simple conducted by the Secretary of State for India for profit and gain. I want to know Sir, whether income derived by these concerns from business transacted within our state is assessed or not. Similarly, there are some British Indian Officers having the place of habitation as well as work here in our state, enjoying incomes above the taxable minimum, and we wish to know whether income tax is levied from them, if not, whether our Government are interdicted to tax their income.

Mr. V. Sankara Menon: Sir, I shall begin by saying that I am for the re-establishing of the Land Revenue Commissioner's place for purposes of getting a co-ordinated supervision of work of the several Peishkars in the State. They may be pursuing different policies and as such, in the interests of the people at any rate, it is better to have a settled policy in regard to matters pending before the various revenue authorities.

Then, I wish to point out the delay in the settlement of pokkuvaravu cases. I wish to point out emphatically that there is inordinate delay in the termination of enquiries relating to pokkuvaravu cases with the result that even though people who owned lands once do not own the same and the settlement register shows that they are the real owners even after the lapse of many years. Secondly, most of these revenue revisions arise out of the delay in the settlement of pokkuvaravu cases. It may be stated by Government that many of the appeals are allowed latterly in the event of the parties remitting the arrears of taxes due, but all that has happened only after the parties in question have suffered many hardships by way of fees and other inconveniences. My submission therefore is, that to prevent that difficulty, it is better to issue stringent orders to revenue subordinates to decide pokkuvaravu cases as soon as practicable.

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[Mr. V. Sankara Menon]

Lastly, I would refer to the poramboke cases. At the outset I may say that I understand the Government are anxious to benefit the people at large who are really interested in cultivating the lands and with that object registry is ordered. If that is the policy, which I think is the correct policy, pursued by Government as it is supported by several circulars and Government G. Os. by way of amplification and amendment, unfortunately all the Government orders relating to encroachments have resulted in confusion so to say. My submission is that it is highly necessary to give a settled policy in regard to encroachments held both by the natives of Travancore as well as outsiders who might have come at the invitation of Government in some cases. The foreigners who came here at the bidding of Government might have spent a lot of money towards improvements to those lands. So far as my experience goes I understand that the earliest G. O. on the subject says that parties should put in their application specifying the extent of the approximate area which they require from the reserve land for purposes of registry. At that time only an approximate boundary about the lands in question could be given, that is to say, such and such area say 200 acres in extent in a particular locality. Such was the kind of application put in by them before the revenue authorities. They entered upon such lands and effected improvements to them at a heavy cost. Such plot was surveyed only after 2 or 3 years of occupation. The approximate area given by them originally differed from the actual surveyed area after some years hence. It is under such conditions, encroachment cases are taken in respect of those areas. Finally, eviction takes place. To prevent that, Government have issued another G. O. stating that people who have entered on the lands and effected improvements thereto before a particular date, to them those areas will be registered and in the case of foreigners they were asked to put in applications stating that they would be quite willing to give a particular rate of *Taravila* within a fixed date. Unfortunately, some foreigners who came to Travancore to cultivate lands did not know the time or date fixed for putting in of those applications. Subsequently when notices came to be issued to the parties, they realised their mistakes. They found that all the lands cultivated by them once had been taken under poramboke proceedings. They also found that the period for putting in the necessary applications had lapsed. I request Government that such cases have to be remedied forthwith. In the case of subjects of Travancore, the original policy was to invite them to cultivate lands in the first instance. They could aspire to get registry of lands without fixing any time limit. According

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to the capabilities of the applicants concerned, they entered upon several plots of lands. After putting a statement saying that they are prepared to pay the necessary survey charges, they began cultivation of lands occupied by them. Then they effected improvements on them. Recently a G.O. has been issued by Government stating that lands only to the extent of 60 acres would be permissible for an individual. The Government knew very well that a lot of money had been spent towards improvements to the lands by the parties concerned. They also knew the approximate extent of lands improved by them. Now to say that 60 acres of lands alone should be owned by them is certainly very hard. In view of the fact that Government are to help people who are really prone to improve agriculture in the country, to ask them to go away from these lands, where in they had sunk huge amounts by way of improvements is working very serious hardship. They have themselves made it a kind of sole possession so to speak. My humble submission therefore is that rules relating to that matter should be relaxed. Anyhow Government should reconsider the general G.Os. passed by them on this subject and settle matters aright between the parties on the one hand and the Government on the other on an equitable basis.

Mr. K. M. Kesavan : Sir, I too support the demand. In doing so I have to point out certain defects noticed by me in the "nirak vila." It was placed before the House that there has been great inequality in the matter of "nirak vila" in different places of Travancore. This inequality in rates is most conspicuously found in the commutation rate of the rent to be paid for Kandukrishi lands. According to the rates prevailing now, it is 14 chs. at Ambalapuzha and 22½ chs. in Trivandrum. I cannot understand why there should be such high disparity in rates in places within this small country.

Sahib Bahadur T. Muhammed Ismail : On a point of order, Sir. May I know, whether the honourable member is in order to change his language at any time he likes?

President : That is left to the discretion of the honourable member.

Mr. K. M. Kesavan : More or less the same kind of paddy is produced in all places and the quantity to be paid is the same. But the rates differ. I am at a loss to know how a particular measure of paddy could be valued differently in different places. In Ambalapuzha the rate is 14 chs. In Kartikapally, which is more or less contiguous to it there is a great difference; a much higher rate exists there

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Mr. M. K. Ananthasiva Aiyar: Will not there be difference in the quality of rice available in both these places ?

Mr. K. M. Kesavan: I am not aware of that. But for the same measure of rice, price must remain more or less the same. If Government says that such and such price should be paid, such and such commutation rate shall exist, in the matter of paddy, of course we are willing to act up to that. That is my position.

Mr. Thomas Chandy Mukkadan: കുടിയാനവന്മാരെ സംബന്ധിച്ചിടത്തോളം കരുനാഗപ്പള്ളി താലൂക്കിലുള്ള പറയ്ക്കും, അമ്പലപ്പുഴ താലൂക്കിലുള്ള പറയ്ക്കും തമ്മിൽ വ്യത്യാസം ഉണ്ടെന്നുള്ള വിവരം മെമ്പറിനറിയാമോ?

Mr. K. M. Kesavan: അമ്പലപ്പുഴ താലൂക്കിലുള്ള കുടിയാനവന്മാർ കല്ലൂർക്കാടൻപറയ്ക്കും കരുനാഗപ്പള്ളി താലൂക്കിലുള്ളവർ ഓണാട്ടുകര പറയ്ക്കുമാണ് നെല്ലളക്കാറുള്ളത്. എന്നാൽ ഗവണ്മെൻറിനു രണ്ടു പറയില്ല.

I request the Government to kindly enquire into this mattter and bring the commutation rates more or less to the same level in all places.

With regard to the revival of the office of Land Revenue Commissioner I would also join the chorus and endorse the views expressed by my friends so that the various revenue divisions may be brought into closer union and co-ordination. At present the two officers the Dewan and the Chief Secretary I understand are overworked. They may be given some relief and there will be more centralisation than at present.

About re-settlement, I understand that the last settlement took place about 50 years ago. A certain variety of land for instance was paying according to the assessment at that time, say, a certain tax. At that time they did not anticipate the new crops that have since been introduced with varying returns of high profits. Again there has been large conversions of wet lands into dry lands and vice versa. If a re-settlement is made it will result in a vast increase of revenue to the Government. At the same time it will relieve the poor ryots, who are now groaning under old rules. Now there are several places where the returns are very low. But these ryots also are paying the same tax as was fixed at the last assessment. On the other hand certain lands which were unfertile or were not cultivated during the last assessment have since been cultivated and the yield has increased several fold due to better strains of seeds. So also many other new crops are now being cultivated. In order to bring these lands under more or less the same incidence of taxation I think re-settlement is very necessary. I request Government to bestow their best consideration on this point.

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Sahib Bahadur M. Sultan Muhiadheen : (*Trivandrum and Nedumangad* cum *Chirayinkil*) : സർ, പോക്കുവരവുകേസുകൾ തീരുമാനിക്കുന്നതിലും തണ്ടപ്പേരുകൾ മാറുന്നതിലും ഉണ്ടാകുന്ന താമസംകൊണ്ട് ജനങ്ങൾ വളരെ കഷ്ടനഷ്ടങ്ങൾ അനുഭവിക്കേണ്ടതായി വന്ന കുടിയിരിക്കുന്നു. ൧൯൦൦, ൧൯൦൧ കൊല്ലങ്ങൾക്കുമുൻപ് മരിച്ച പട്ടാളാരന്മാരുടെ അവകാശികളുടെ പേരിൽ തണ്ടപ്പേരു മാറാതെ കിടപ്പുള്ളതായി എനിക്കറിയാം. ഇപ്രകാരം ചെയ്യുന്നതുകൊണ്ട് പകുതി ഉദ്യോഗസ്ഥന്മാർ ഇപ്പോൾ ജീവിച്ചിരിപ്പില്ലാത്ത ആരുടെയെങ്കിലുംപേരിൽ നടപടിനടത്തി നോട്ടീസ് ഏതു വിധത്തിലെങ്കിലും നടത്തിയതായി പേരുവരുത്തി ൮൦൦, ൯൦൦ ഏക്കർ വിസ്തീർണ്ണമുള്ള വസ്തുക്കളെ ഒന്നും ഒന്നിൽചില്വാനം രൂപയ്ക്കും ലേലത്തിൽ വിൽപ്പിച്ച പകുതി ഉദ്യോഗസ്ഥന്മാർക്കുവേണ്ടി അവരുടെ ഏജൻറന്മാരുടെ പേരിൽ ലേലം പിടിപ്പിച്ചിട്ടുള്ള സംഗതി എനിക്ക് നേരിട്ടതന്നെ അറിയാൻ സാധിച്ചിട്ടുള്ളതാണ്. വസ്തു കൈവശക്കാരൻ നാലും അഞ്ചും കൊല്ലങ്ങൾ കഴിഞ്ഞിട്ടാണ് ഈ സംഗതി അറിയാനിടയാകുന്നത്. അപ്പോൾ ആയതു സംബന്ധിച്ച് അപ്പീൽകൊടുക്കുന്നപക്ഷം ലേലം സ്ഥിരപ്പെട്ട് വളരെക്കാലം കഴിഞ്ഞുപോയി എന്നുള്ള കാരണത്തിൽ അപ്പീൽ തള്ളപ്പെടുകയും ചെയ്യുവരുന്നു. ചില പകുതിഉദ്യോഗസ്ഥന്മാർക്കു കരക്കുടിശ്ശിക ലേലത്തിൽ പിടിപ്പിക്കുന്ന ഏജൻസി ഉള്ളതായിട്ടും എനിക്കറിയാവുന്നതാണ്. ഈ ഏർപ്പാടുകളെപ്പറ്റി പ്രത്യേകം ഗവണ്മെൻറിൽനിന്നും ശ്രദ്ധപതിപ്പിച്ച വേണ്ട ഉത്തരവുകൾ ഉടനടി അയക്കാത്തപക്ഷം ഈ ക്ഷാമകാലത്തു് അനേകം ഏക്കർ വസ്തുക്കൾ വളരെ ഗുരുതരമായ സംഖ്യകൾക്കുകൂടി കരക്കുടിശ്ശികലേലത്തിൽ പോകാൻ ഇടവരുന്നതാണ്.

അടുത്തതായി പറയുവാനുള്ളതു് പുറമ്പോക്കു കേസുകളെപ്പറ്റിയാണ്. സെറിൽമെൻറു കാലത്തു് പിശകായി സർവ്വെ ചെയ്തതുകാരണം ഏതെങ്കിലും ഒരു സ്ഥലം പുറമ്പോക്കാണെന്നു സർവെ ചെയ്തിരിക്കുന്നു എന്നിരിക്കട്ടെ. എന്നാൽ ആ സ്ഥലം പതിവുവസ്തുവോടു ചേർന്നു ജന്മിതന്നെ ദീർഘകാലമായി അനുഭവിക്കുകയും ചെയ്യുവരുന്നു. ഏറിയകാലം കഴിഞ്ഞു പുറമ്പോക്കു കേസെടുത്തു കക്ഷിക്കു നോട്ടീസ് പോകുന്നു. അവസരത്തിൽ കക്ഷികൾ സത്യവും ഉത്തമവിശ്വാസവുമുള്ള ഗവണ്മെൻറിന്റെ റിക്കാർഡുകൾകൊണ്ടും മറ്റും പതിവിൽപെട്ടതാണെന്നു തെളിവു കൊടുത്തു പട്ടയകറക്ഷൻ ചെയ്തുകൊടുക്കണമെന്നു ആവശ്യപ്പെടുന്ന സന്ദർഭങ്ങളിൽ പൊതുവെ പട്ടയകറക്ഷൻ സംഗതിയിൽ ഗവണ്മെൻറിനു അനുകൂലാഭിപ്രായമില്ലെന്നുള്ള ഭാവത്തിൽ സർവ്വെയും റവന്യൂവും

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[Sahib Bahadur M. Sultan Muhiadheen]

ഉദ്യോഗസ്ഥന്മാർ പല തീരുമാനങ്ങളും ചെയ്തിട്ടുള്ളതായി എനിക്കു നേരിട്ടറിയാം. ചിലപ്പോൾ ഈ വക തീർച്ചയിന്മേൽ ജില്ലാക്കോടതിയിൽ കക്ഷികൾ വ്യവഹാരപ്പെട്ട സർക്കാർതന്നെ കേസു രാജിയാക്കിത്തീർത്തതായിട്ടും ചിലപ്പോൾ കക്ഷികൾക്കു ചെലവു കൊടുക്കേണ്ടതായി വന്നിട്ടുണ്ടെന്നുപോലും അറിയാം. ഇതു കക്ഷികൾക്ക് വളരെ കഷ്ടനഷ്ടത്തിനിടയാക്കുന്നു എന്നുമാത്രമല്ല സർക്കാരിനും ക്രമേ നഷ്ടമാണ്. എന്നാൽ ഗവണ്മെൻറിനു പട്ടയകറക്ഷൻ സംഗതിയിൽ അപ്രകാരം ചെയ്യുകുടാ എന്നു നിർബന്ധമുണ്ടെന്നുള്ളപക്ഷം ആ വിവരം ഒരു നിയമംമൂലം ജനങ്ങളെ മനസ്സിലാക്കിയാൽ ഇപ്പോൾ അനുഭവിക്കേണ്ടതായിട്ടു വരുന്ന കൂടുതൽ കഷ്ടവും നഷ്ടവും ക്രമേണ ഒഴിച്ചുവിട്ടെങ്കിലും സൈരമായിരിക്കുവാൻ സാധിക്കുമെന്നാണ് എന്റെ അഭിപ്രായം.

Mr. K. Kunjan Pillai: Sir, in the debate which has just now taken place on the floor of the House several honourable members have practically dealt with almost all the aspects of the Land Revenue Administration beginning from the restoration of the office of the Land Revenue Commissioner, which was recently abolished down to the issue of demand notices. I shall, within the short time allowed to me, try to deal with as many aspects of the matter as possible. I shall begin first with the need urged by the honourable member Mr. Balakrishnan Tampi for the restoration of the Land Revenue Commissioner's office. This office, as honourable members know, was abolished so recently as Karkatakam 1116. Judging from the results of the Land Revenue Administration as disclosed by the statistics which I am about to place before the honourable House, the House will agree with me that no necessity has been brought out for the restoration of that office and for the incurring of the expenditure consequent on the continuance of that office. During 1116 when the Land Revenue Commissioner's office was in existence the percentage of collection was 81 and the percentage of collection during the current year is 88. The honourable members will thus note that there is an increase of 7 per cent. in the collection. Then taking the figures of collection for 1117 the balance to be collected this year is less by 2 lakhs than that of 1116. In regard to the disposal of revenue cases the figures are on the increase. In 1116 the disposal of cases under the Land Conservancy Act was 87 per cent. For 1117 up to the end of the 3rd quarter the percentage of disposal is 77. I am not in possession of the figures of disposal for the whole year. So also in regard to the disposal of puduval cases it was 47 in 1116 and 37 till the end of the 3rd quarter of 1117.

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Mr. Kochikal P. Balakrishnan Tampi : May I ask the honourable member whether the same reasoning will not apply to the abolition of the Excise Commissionership if the Government will take over the control of the Division Officers ?

President : That is on an entirely different footing. The District officers of the Land Revenue Department are very responsibile officers on Rs. 400-700 and practically in the same grade as first class officers. They are responsible for the collection of revenue and they are treated as heads of departments for the same purpose. We cannot treat the Assistant Excise Commissioners or the D. S. Ps. on the same footing. That is the main reason.

Mr. K. Kunjan Pillai : In regard to transfer of registry cases about which honourable members stated that there is considerable delay, I may state that during 1116 out of a total of 1,29,208 cases 1,23,495 cases were disposed of, that is about 95 per cent. were disposed of. Honourable members will agree with me that the disposal is fairly up to the mark.

Mr. G. Narayana Aiyar : May I know what is the average delay in the disposal of pokkuvaravu cases ?

Mr. K. Kunjan Pillai : Government have not called for that information. The Rule says that as soon as a document is received from the Sub-Registry office it has to be sent to the Proverthicar from the taluk Office and the Proverthicar has to submit a statement in two weeks. If any delay is brought to the notice of the Tahsildar or Peishkar, the Proverthicar will be seriously dealt with by the Tahsildar or the Peishkar when inspecting the records.

Mr. T. Krishna Pillai : From that are we to understand that the existence of the Land Revenue Commissioner was an impediment on the efficient and expeditious disposal of cases ?

Mr. K. Kunjan Pillai : It does not mean that. When the Land Revenue Commissioner was there no doubt there were disposals. What I want to say is that Government work was not affected by the abolition of that office.

Mr. V. Sankara Menon : Does not the member know that the percentage of the number of appeals has also increased ?

Mr. K. Kunjan Pillai : I am coming to that.

In the matter of appeals the number of appeals in 1116 was 2,257 out of which the Land Revenue Commissioner disposed of 1,865 appeals. During 1117 for the first 9 months the number of cases for disposal was 1,125 out of which 973 cases have been disposed of by the Division Peishkars.

Mr. E. K. Kuriyppe : ഗവണ്മെൻറിൽനിന്നും തീരുമാനിക്കുന്ന ഏതെങ്കിലും കേസ്സുകൾ ഗവണ്മെൻറിനു നേരിട്ടുപോയി അപേക്ഷിക്കുന്നതിനു സായിച്ചിട്ടുണ്ടോ?

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Mr. K. Kunjan Pillai: If Government feel the necessity for a local inspection in the course of the hearing of appeals and revision cases, Government will no doubt do it although Government may not have done it till now. But there is the sketch and mahazor prepared by responsible officers for the Dewan's reference at the time of disposal of cases. If the Dewan finds that for the proper disposal of any case a local inspection is necessary he will no doubt inspect the place.

President: Order, order. In regard to the question of the restoration of the Land Revenue Commissioner's place I might just make a few observations. I was all along under the impression that that was a measure of retrenchment which the House would welcome. Having had something to do with revenue and incometax appeals that came before me and also with other revenue appeals which were being disposed of by the Dewan Sachivottama Sir C. P. Ramaswami Aiyar, my experience as Chief Secretary during the last eleven months is that the Office of the Land Revenue Commissioner is a superfluity which could well be dispensed with. Even while the Land Revenue Commissioner was there, advocates used to appear very often before the Dewan in petitions for revision. The orders of the Land Revenue Commissioner were not regarded as final in most cases and the inherent authority of the Dewan for the exercise of revisional jurisdiction was sought by parties. Secondly, the Division Peishkars are exercising very responsible duties and the Land Revenue Commissioner's inspection is the only thing that is now wanting so far as the Division Peiskars themselves are concerned; otherwise the lower ranks of the Revenue Department, Tahsildars and Proverthicars, are not affected by the change. The District Officers are now functioning as Heads of Departments and they are doing very well, as is evident from the facts and figures quoted by Mr. Kunjan Pillai. When important matters come up for revision before the Dewan and if there is any necessity for local inspection, as has been mentioned by the honourable member Mr. Thomas Chandy Mukkadan, the Dewan will certainly make the inspection before disposing of the matter. From my experience during the past eleven months I can assure the House that the abolition of the post of Land Revenue Commissioner has not been prejudicial so far as public interests are concerned. The present system may, therefore, be tried for some time.

I may also add this in regard to the maximum area of 60 acres fixed in respect of registries. Mr. Kuruvilla complained that 60 acres might be too small a unit for cultivation. Even for 60 acres of cardamom land you want a capital investment of Rs. 15,000 and therefrom the profit you get will be about Rs. 3,000. You cannot say that this sum of Rs. 3,000 is a negligible

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one for an average ryot or an average cultivator; and the aim and policy of Government in fixing the maximum was that vast extent of lands should not be allowed to be cornered by capitalist classes but that they should be made, as far as possible, available to the ordinary average man and that is why the maximum limit was fixed. Ordinarily, it may be 30, 40 or 45 acres that may be registered but nobody shall get more than 60 acres. That is the rule that Government have laid down and it is done merely with a view to see that there is a very equitable division of the land among as large a proportion of the population as possible.

The time for the Demand is over. The question before the House is that a sum of Rs. 9,13,550 be granted under Demand II—Land Revenue and Taxes on Income.

The motion was put and carried. The Grant was made.

DEMAND III—STAMPS.

Mr. A. Lakshminarayana Ayyar: Sir, I beg to move for a grant of Rs. 78,371 under Demand III—Stamps.

Mr. M. K. Ananthasiva Aiyar: Sir, I support the demand. In doing so I beg to bring to the kind notice of Government a suggestion with regard to the selling of stamps. Now stamp papers and stamps are being sold through a set of people called stamp vendors and through the treasuries. In the village parts these vendors are not easily available, as it is not considered to be a paying proposition to people to invest large sums upon vendorship. Now that we have got a good number of Anchal Offices in almost all the pakuthies in the State and many of them do the Savings Bank business, I ask Government why Anchal Masters should not be entrusted with the sale of these stamps also.

Mr. Kochikal P. Balakrishnan Tampi: Both revenue and court fee stamps?

Mr. M. K. Ananthasiva Aiyar: Yes. A man staying in the Quilon town may not find any difficulty in getting stamps; but another man staying, say, in Udumpanchola, may not have the same facility to get stamps. Some Anchal Masters have deposited Rs. 1,000 or Rs. 2,000 or even more as securities. That depends upon the nature of the business transacted in each Anchal Office. I ask, in such of the offices where the Savings Bank system is introduced, what is the harm in entrusting the Anchal Masters with some stamps that may be required for the villagers. If the Government find that Anchal stamps to the value of a good sum can be entrusted to these Anchal Masters and they can be trusted to handle more than Rs. 5,000, or Rs. 6,000 a day in the Savings Bank business

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